

CUYAHOGA FALLS CITY COUNCIL

Minutes of the Council Meeting

December 27, 2016

Call to Order: Mrs. Pyke at 6:30 p.m.

Roll Call: Mr. Rubino, present; Mr. Pallotta, present; Ms. Nichols-Rhodes, present; Mr. Brillhart, present; Mr. Miller, present; Mr. James, present; Mr. Iona, present; Mr. Colavecchio, present; Mrs. Klinger, present; Mr. Iula, present; Mrs. Pyke, present.

Invocation: Mr. Iona

Pledge of Allegiance: Mr. Brillhart

Approval of Minutes: None.

Reports and Communications: None.

New Legislation
(First Reading)

Temp. Ord. A-111 (Planning & Zoning)

An ordinance approving the creation of a Downtown Historic Overlay District according to Section 1132.21 H, Historic Overlay in the Cuyahoga Falls General Development Code, and declaring an emergency.

Temp. Ord. A-112 (Planning & Zoning)

An ordinance authorizing and approving the conditional zoning certificate to construct and operate an outdoor sales lot at 1546 State Road (Parcel 02-10006) in an MU-4 Sub-Urban Corridor District, and declaring an emergency.

Temp. Ord. A-113 (Finance)

An ordinance authorizing the Finance Director to enter into a contract or contracts with James G. Zupka CPA, Inc., and declaring an emergency.

Reports of Council's Standing Committees
(Third Reading)

Planning & Zoning

Temp. Ord. A-95

An ordinance authorizing the acceptance of 2.9609 acres (Parcel C) from Twin Crown Properties, and declaring an emergency.

Mr. Iona moved to adopt Temp. Ord. A-95, second by Mr. Iula. Motion passed, voice vote (11-0).

Finance & Appropriations:

Temp. Ord. A-96

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, according to law, for the purchase of the City's requirements of certain services, materials and supplies for use by the Water and Sewer Division during 2017, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. A-96, second by Mr. Iona. Motion passed, voice vote (11-0).

Temp. Ord. A-97

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, according to law, for the purchase of the City's requirements for certain materials, supplies, and equipment for use by the Electric Division during 2017, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. A-97, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Temp. Ord. A-98

An ordinance authorizing the Director of Safety or his designee to enter into a contract or contracts, according to law, for the purchase or lease of various vehicles and related equipment for use by the City, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. A-98, second by Mr. Iona. Motion passed, voice vote (11-0).

Temp. Ord. A-99

An ordinance providing for supplemental and/or amended appropriations of money for current operating expenses and capital expenditures of the City of Cuyahoga Falls, and authorizing the transfer of appropriations within and for the various funds hereinafter set forth, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. A-99, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Temp. Ord. A-100

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials, supplies and services for use by the Garage Division during 2017, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. A-100, second by Mr. Iona. Motion passed, voice vote (11-0).

Temp. Ord. A-101

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain materials and supplies for use by the Street Department during 2017, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. A-101, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Temp. Ord. A-102

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, according to law, for the purchase of annual requirements of certain services, materials and supplies for use by the Division of Sanitation during 2017, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. A-102, second by Mr. Iona. Motion passed, voice vote (11-0).

Temp. Ord. A-103

An ordinance levying special assessments for the repair or replacement of sidewalks and drive approaches in the Sidewalk and Drive Approach Repair and Replacement District, for the year 2016, and declaring an emergency.

Mrs. Klinger moved to adopt Temp. Ord. A-103, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Public & Industrial Improvements:

Temp. Res. A-104

A resolution creating for the year 2017 a Sidewalk and Drive Approach Repair and Replacement District containing such streets, alleys, or public roadways within the corporate limits of the City of Cuyahoga Falls, declaring the necessity of repairing or replacing the sidewalks and drive approaches abutting on such streets, alleys or public roadways within said corporate limits and providing the method for levying special assessments, and declaring an emergency.

Mr. Iula moved to adopt Temp. Ord. A-104, second by Ms. Mary Nichols-Rhodes. Motion passed, voice vote (11-0).

Temp. Ord. A-105

An ordinance authorizing the Mayor or his designee to enter into a contract or contracts, according to law, for the replacement and adjustment of concrete sidewalks, drive approaches and curbs at various locations in the City of Cuyahoga Falls, and declaring an emergency.

Mr. Iula moved to adopt Temp. Ord. A-105, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. A-106

An ordinance authorizing the Mayor or his designee to enter into a second modification of Contract No. 7045 with CT Consultants, and declaring an emergency.

Mr. Iula moved to adopt Temp. Ord. A-106, second by Ms. Nichols-Rhodes. Motion passed, voice vote (11-0).

Public Affairs:

Temp. Ord. A-107

An ordinance authorizing the Mayor to enter into an agreement to provide dispatch and related safety services to the Village of Boston Heights, and declaring an emergency.

Mrs. Pyke asked the Law Director, Mr. Russ Balthis, if Council received a copy of the contract. Mr. Balthis apologized for forgetting to send it after the last meeting and stated that he will send it tomorrow.

Mr. Pallotta moved to adopt Temp. Ord. A-107, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. A-108

An ordinance amending the Traffic Control File by providing for installation of various traffic control devices, and declaring an emergency.

Mr. Iula moved to adopt Temp. Ord. A-108, second by Mr. James. Motion passed, voice vote (11-0).

Temp. Res. A-109

A resolution supporting the efforts of the Celtic Club of Ohio as they work to make a positive difference in the lives of many, through local community service, and declaring an emergency.

Mr. Iula moved to adopt Temp. Res. A-109, second by Mr. James. Motion passed, voice vote (11-0).

Community Development:

Temp. Ord. A-110

To approve an Economic Development Plan and determining to proceed with approval of a Tax Increment Financing Incentive District; and declaring an emergency.

Mr. Miller moved to adopt Temp. Ord. A-110, second by Mr. Pallotta. Motion passed, voice vote (11-0).

Schedule of Committee Meetings

Planning & Zoning:	January 3, 2017, 6:30 p.m.
Finance:	January 3 2017, 6:33 p.m.
Public Improvements:	Subject to Call.
Public Affairs:	Subject to Call.
Community Development:	Subject to Call.

Miscellaneous Business

Mrs. Pyke asked Mr. Hoffman to give Report 21. Mr. Hoffman stated that, in under the first bullet point in the General Fund, some of the estate taxes came through from pending cases. The State had repealed that tax, but the City did receive \$14,397 at the end of the year. Council had approved legislation for the creation of a fund for the Joint Economic Development District with Boston Township. They did take income tax out of one Income Tax Fund, so that number will be down relative to 2014 partially because of that. In the Municipal Income Tax Fund, income tax revenues are up 1.8 percent over 2015. They anticipate hitting their budgeted number for 2018. As they took a deeper dive into income tax revenues this past month, they noticed net profit seems to be down again, but withholding tax is up quite a bit. They are analyzing that further to see if there is a soft patch in the local economy. In the Leisure Time Fund, charges for services continue to come in as they have over the past several months, up 22.2 percent. Brookpoint is up 3.9 percent. Last month, it was 4.1 percent. Downview is still down 12.9 percent. In the SCMR Fund, under Fees, Licenses and Permits, that's down \$20,053. That was down a little over \$50,000, so there is a little pick-up there. There has been a trend, through 2014, with that line item continually going down that may be a timing issue. That is the line item that cable franchise fees are paid into. The tick down is not as great as if the trend would continue down. In the other funds, under Hospitalization, the Self Insurance Fund, claims have normalized after having had those large claimants that hit the stop loss this year. Claims are up 17.3 percent over 2015. In the past, they've been over 18 percent. Prescriptions are still down, so they're balancing each other out in that fund. Those are anticipated to equalize out this year.

Mr. Colavecchio asked if they see Brookledge and Downview as being moneymakers long term. Mr. Hoffman stated that he wouldn't say it's a money maker. Brookledge tends to break even on an operational basis. He has to do more analysis on Downview and the history on that. They're

not in a general fund type of fund. They are in a more enterprise type of fund and are there to provide recreation to the community. Mr. Colavecchio asked exactly how much dollar-wise they are down. Mr. Hoffman stated that it is not a lot. Downview is down roughly \$25,000; maybe about \$30,000. They had a good summer for golfing this year, so Brookledge is up about \$25,000. Mr. Colavecchio stated that if there are statistics on previous years and any projections, he would appreciate if Mr. Hoffman would e-mail that to him and the rest of Council. Mr. Iona stated that it would help tremendously if they could also have the dollar amounts on self-insured insurance claims and self-insurance prescriptions.

Mayor Walters stated he would like to extend an invitation to City Council regarding their bus tour. The City is prepared to pay for a bus trip to three prospective cities in Illinois. It will be Friday, January 20th, into Saturday, the 21st. They would like Council members to go and will invite the Planning Commission, Historic Review Board, the press and some of the property owners and merchants. There are three cities that would be covered by a5 Branding and Digital, which is the branding and the marketing firm that's working for the City right now. These are cities a5 has had association with, so they will be able to line up the mayors, development directors, property owners and merchants. The first city is Oak Park, Illinois. They are a city of 52,000, about the same size as Cuyahoga Falls. They went from a pedestrian mall to a complete street, so they will be able to see the results of that. The next would be Valparaiso, Indiana. They're a city of about 32,000. However, they have a historic downtown very similar to Cuyahoga Falls. The third city is South Bend, Indiana. They're a city of 100,000, but their downtown is very similar, as well, in that they have a river that runs adjacent to their downtown. And even more similar is their river flows south and then west and then north to Lake Michigan. If Council can attend, they will cover the bus cost. It will be very educational. Mayor Walters stated that he spoke to the Law Department regarding Sunshine Laws. If it is informational and fact finding, there is no violation per the Law Department. Mr. Balthis stated that Mayor Walters is correct. The biggest issue is that there can't be any deliberation or discussion. He would encourage all members of Council that go to gather information, but don't discuss thoughts and opinions amongst themselves until they are before Council.

Mrs. Pyke stated that Mr. John Drumm, 2781 Tiff Street, contacted her this week and would like to speak before Council tonight. She has explained to him that because it is a Council meeting, it is not a give-and-take conversation and is strictly three minutes long. Mr. Drumm stated he was there to speak about the utilities that the Administration cannot get straight. Since 2002, the City has told him when a tenant leaves and then reverts the utilities either into his parents' names or his name. After the last meeting, when he went to one of his rental properties, 20,250 gallons of water went through the meter because the gas was shut off and the City sent the bill to the wrong house. He doesn't understand how the City can be professional and still not get this bill correct. Another thing that is happening is he has gotten seven bills for the same thing, \$3 for the storm sewer, every month. Ten years ago, they set it up to have a bill sent every six months. They send him a bill every week, \$3, \$3, \$3, because he has three houses. His attorney will be contacting them, because they can't get anything straight.

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Mr. James moved to adjourn, second by Mr. Iula. Motion passed, voice vote (11-0). Meeting adjourned at 7:02 p.m.

Mary Ellen Pyke, Council President

Dana M. Capriulo, Council Clerk